

**UNITED STATES COURT OF APPEALS
FOR THE EIGHTH CIRCUIT**

No: 16-4166

United States of America

Plaintiff - Appellant

v.

Joseph J. Benz

Defendant - Appellee

Appeal from U.S. District Court for the District of Nebraska - Lincoln
(4:13-cr-03121-RGK-1)

JUDGMENT

Appellant's motion to dismiss the appeal is granted. The appeal is hereby dismissed in accordance with the [Federal Rules of Appellate Procedure](#) 42(b).

The Court's mandate shall issue forthwith.

December 20, 2016

Order Entered Under Rule 27A(a):
Clerk, U.S. Court of Appeals, Eighth Circuit.

/s/ Michael E. Gans